

REMARKS

The Office Action mailed March 7, 2005, has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Rejection(s) Under 35 U.S.C. § 102

Claims 1 (and 2) were rejected under 35 U.S.C. § 102(e) as anticipated by Huttunen (U.S. Patent Application Publication 2002/0016154).

Claims 1 and 2 are directed to a method of generating feedback information in IQ form for linearity compensation of a communications transmitter using polar modulation. Huttunen does not use polar modulation. Rather, the Huttunen system is a linear modulation I/Q system. This modulation takes place in I/Q modulator 7 using a very conventional linear modulation I/Q scheme which different from the polar modulation approach of the invention.

It will be appreciated that, according to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102 only if each and every claim element is found, either expressly or inherently described, in a single prior art reference.¹ The aforementioned reasons clearly indicate the contrary, and withdrawal of the 35 U.S.C. § 102 rejection based on Huttunen is respectfully urged.

¹ Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Rejection(s) Under 35 U.S.C. § 103 (a)

Claim 2 was rejected under 35 U.S.C. § 103(a) as unpatentable over Yamamoto (U.S. Patent Application Publication 2001/0010713) in view of Grange (U.S. Patent Application Publication 2004/0046607).

Again, it is maintained that Yamamoto, unlike the presently claimed invention, does not disclose polar modulation. The assertion in the Office Action that blocks 4, 5, 6, 7 and 8 of Yamamoto show “combining the phase-modulated signal and the amplitude signal to produce an output signal” is untrue. In particular, block 4 in Yamamoto shows a quadrature modulator consistent with I/Q modulation, not with the claimed polar modulation. No power modulation in accordance with the inventive polar modulation of the invention is disclosed or suggested in Yamamoto. Further, in contravention of the second assertion in the Office Action, that Yamamoto shows “[u]sing an IQ demodulator to produce feedback information for linearity compensation, the IQ demodulator receiving as inputs signal the phase-modulated signal and the output signal and producing as output signals in-phase and quadrature components,” it will be noted that the feedback signal obtained at coupler 10 after PA 8 in Yamamoto does not in fact contain a phase modulated signal.

Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over Willis et al. (U.S. patent no. 5,646,627) and further in view of Shanley, II (U.S. patent no. 4,135,200).

Willis, however, simply shows a biphase modulation scheme. In such a system, a data signal is used to directly generate an output signal. No “modulated signal components” are present as an output of the biphase produced as in the presently claimed invention because the latter relies on a completely different modulation scheme. Biphase modulation, it will be appreciated, does not produce components; it only produces an output signal.

Conclusion

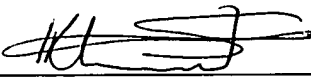
In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,
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